IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL.

Writ Petition No. 836(S/S)2007

Jagbir Singh S/o Sri Kripal Singh,
R/o village Kudiyal, P.O. Thano,
District Dehradun. ---- Petitioner.

Vs.

1. State of Uttarakhand through its Secretary,
   School Education, Dehradun,
2. Director, School Education, State of Uttarakhand, Dehradun,
3. District Education Officer, Dehradun,
4. Addl. District Education Officer (Basic),
   Dehradun ----Respondents.

Sri I.P. Gairola, learned Counsel for the petitioner and
Sri Paresh Tripathi, learned Standing Counsel for the State of Uttarakhand.

Hon'ble M.M. Ghildiyal, J.

Heard Sri I.P. Gairola, learned Counsel for the petitioner and Paresh Tripathi, learned Standing Counsel for State of Uttarakhand/respondents.

By means of this writ petition, the petitioner has challenged the transfer order dated 23.06.2007 (annexure no. 2) passed by the respondent no. 4, so far as it relates to the petitioner by which, the petitioner who is working as Asstt. Teacher in Kanya Junior High School, Ramnagar, Danda, Block Raipur, Dehradun has been transferred to Junior High School, Kotla Taplad, Block Chakrata on the ground that the teachers working in the Institution are in excess than the standard fixed by the Govt.

Stand of the petitioner is that, the petitioner has served about 29 years' in most dis-comfortable areas (Durgam

Kshetras) throughout his service and he has completed more than 55 years of his age and now is running in 56 years.

Only about six months back, for the first time the petitioner was transferred vide order dated 26.11.2006 to a comfortable area (Sugam Kshetra) and in pursuance of that order he joined on 09.11.2006 to his present place of posting. But only within a span of six months, the petitioner has again been transferred by the impugned order to most dis-comfortable area (Ati Durgam Kshetra). The petitioner, raising all his grievances, has already moved a representation on 03.07.2007 before respondent no. 4, copy of which is annexed as annexure no. 3 to the writ petition.

In the circumstances, I deem it fit and proper to direct the petitioner to submit a certified copy of this order before respondent no. 4 within one week from today and the respondent no. 4 is directed to take decision on the representation of the petitioner dated 03.07.2007, by a speaking order, within a week from the date of receipt a certified copy of this order.

Till the decision is taken by the respondents or till 25th July 2007 whichever is earlier, the petitioner shall not be relieved from his present place of posting.

With these directions, the writ petition is finally disposed of. No order as to costs.

(M.M. Ghildiyal, J.)

July 10, 2007:
NCM: